

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY FRIEDRICH ENTERPRISES, LLC, ET AL.,

Plaintiffs,

-against-

MARVEL ENTERPRISES, ET AL.,

Defendants.

08-CV-01533 (BSJ)(JCF)

**NOTICE OF MOTION TO
ADMIT COUNSEL PRO HAC VICE**

PLEASE TAKE NOTICE that upon the attached affirmation of Leonard F. Lesser, Esq., as well as the attached affidavits and Certificates of Good Standing of Eric W. Evans, Charles S. Kramer, Dawn K. O'Leary, and Joseph D. Schneider, plaintiffs Gary Friedrich Enterprises, LLC ("GFE") and Gary Friedrich ("Friedrich," collectively "Plaintiffs"), shall move this Court on May 28, 2008, or any such other date and time set by the Court, for an Order, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, allowing the admission *pro hac vice* of attorneys Evans, Kramer, O'Leary and Schneider in this case.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 6.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, answering papers, if any, shall be served within ten (10) business days after service of this Notice of Motion along with the supporting papers, and reply papers, if any, shall

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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be served within five (5) business days after service of the answering papers, if any,
unless otherwise stipulated by the parties and endorsed by the Court.

Dated: New York, New York
May 5, 2008

SIMON•LESSER PC

By: 

Leonard F. Lesser, Esq.
420 Lexington Avenue
New York, New York 10170
T: 212.599.5455
F: 212.599-5459

ROTH, EVANS & LADING

Thomas Long, Esq.
Eric Evans, Esq.
Dawn O'Leary, Esq.
2421 Corporate Centre Drive
Suite 200
Granite City, IL 62040
T: 618.931.5000
F: 618.931.6474

RIEZMAN BERGER, P.C.

Charles S. Kramer, Esq.
Joseph D. Schneider, Esq.
7700 Bonhomme, 7th Floor
St. Louis, Missouri 63105
T: 314.727.0101
F: 314.727.6458

Attorneys for plaintiffs Gary Friedrich
Enterprises, LLC and Gary Friedrich

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY FRIEDRICH ENTERPRISES, LLC, ET AL.,

Plaintiffs,

-against-

MARVEL ENTERPRISES, ET AL.,

Defendants.

08-CV-01533 (BSJ)(JCF)

**AFFIRMATION OF LEONARD F.
LESSER IN SUPPORT OF MOTION
TO ADMIT COUNSEL PRO HAC VICE**

Leonard F. Lesser, attorney at law duly admitted to practice before the Courts of the State of New York and this Court, affirms the following to be true under penalties of perjury:

1. I am a principal of Simon Lesser PC, New York counsel to plaintiffs Gary Friedrich Enterprises, LLC (“GFE”) and Gary Friedrich (“Friedrich,” collectively “Plaintiffs”).

2. I submit this Affirmation in support of the within Motion pursuant to 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, allowing the admission *pro hac vice* of attorneys Eric W. Evans, Charles S. Kramer, Dawn K. O’Leary, and Joseph D. Schneider, in this case.

3. In support of this Motion, I have attached the following Exhibits:

A. Exhibit A is the Affidavit of Eric W. Evans and April 22, 2008 Certificate of Good Standing of Bar of the State of Missouri.

B. Exhibit B is the Affidavit of Charles S. Kramer and April 11, 2008 Certificate of Good Standing of the Bar of the State of Illinois, and April 14, 2008 Certificate of Good Standing of the Bar of the State of Missouri.

C. Exhibit C is the Affidavit of Dawn K. O'Leary and April 22, 2008 Certificate of Good Standing of Bar of the State of Missouri.

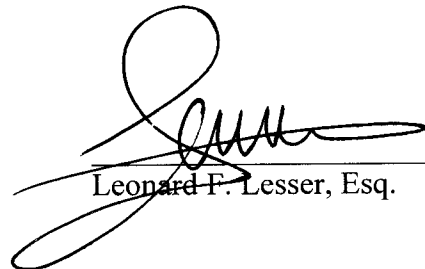
D. Exhibit D is the Affidavit of Joseph D. Schneider and April 11, 2008 Certificate of Good Standing of the Bar of the State of Illinois, and April 14, 2008 Certificate of Good Standing of the Bar of the State of Missouri.

4. I have supplied attorneys Evans, Kramer, O'Leary and Schneider with copies of the Local Rules for the United States District Courts for the Southern and Eastern Districts of New York, and the Individual Rules for Judge Jones and Magistrate Judge Francis, and have received assurances from each of them that they will abide by such rules in connection with their requested *pro hac vice* admissions. Given their years of practice and bar admissions, I am pleased to sponsor their *pro hac vice* admissions in this case.

5. No prior request for the relief requested herein has been made to this Court.

WHEREFORE, it is respectfully requested that this Motion to allow the admission *pro hac vice* of attorneys Evans, Kramer, O'Leary and Schneider be granted, in addition to such other and further relief as this Court may deem just and proper.

Dated: New York, New York
May 5, 2008



Leonard F. Lesser, Esq.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

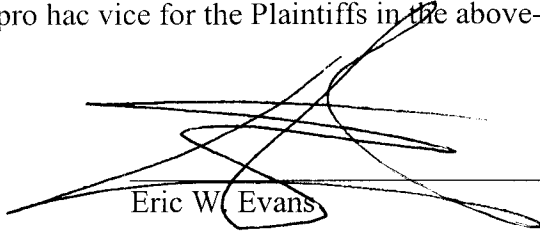
GARY FRIEDRICH ENTERPRISES,)	
LLC,)	
An Illinois Limited Liability Company,)	Cause No. 08-CV-01533 (BSJ)(JEH)
and)	
GARY FRIEDRICH, an individual,)	
PLAINTIFFS,)	
vs.)	
)	
MARVEL ENTERPRISES, INC., et al)	
DEFENDANTS)	

**AFFIDAVIT OF ERIC W. EVANS IN SUPPORT OF MOTION
FOR ADMISSION PRO HAC VICE**

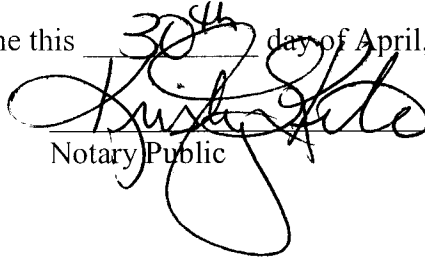
Eric W. Evans, being duly sworn and under oath, states as follows:

1. I am an attorney with Roth Evans, P.C. and counsel for the Plaintiffs, Gary Friedrich Enterprises LLC and Gary Friedrich in the above-captioned matter.
2. I am submitting this affidavit in support of a motion for admission pro hac vice in this action.
3. I am a member in good standing of the Illinois bar (#06220134) and have been since 1994.
4. I am a member in good standing of the Missouri bar (#44522) and have been since 1993.
4. I have attached documents reflecting these facts.
5. There are no pending disciplinary proceedings against me in any state or federal court.

WHEREFORE, I respectfully request that this Motion be granted and that I be permitted to appear as counsel and advocate pro hac vice for the Plaintiffs in the above-captioned action.


Eric W. Evans

Sworn and subscribed to before me this 30th day of April, 2008.


Notary Public

My commission expires:



The Supreme Court of Missouri



*Certificate of Admission as an
Attorney at Law*

I, Thomas F. Simon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on 10/1/1993,


Eric William Evans

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 22nd day of April, 2008.

A handwritten signature in black ink, appearing to read "Thomas F. Simon", is written over a horizontal line.

Clerk of the Supreme Court of Missouri



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OF THE SUPREME COURT OF ILLINOIS**

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LAWYER SEARCH: ATTORNEY'S REGISTRATION AND PUBLIC DISCIPLINARY RECORD

ARDC Individual Attorney Record of Public Registration and Public Disciplinary and Disability Information as of April 25, 2008 at 11:50:44 AM:

Full Licensed Name:	Eric William Evans
Full Former name(s):	None
Date of Admission as Lawyer by Illinois Supreme Court:	May 5, 1994
Registered Business Address:	Roth Evans & Lading, PC 2421 Corporate Ctr Ste 200 Granite City, IL 62040-4195
Registered Business Phone:	(618) 931-5000
Illinois Registration Status:	Active and authorized to practice law - Last Registered Year: 2008
Malpractice Insurance: (Current as of date of registration; consult attorney for further information)	In annual registration, attorney reported that he/she has malpractice coverage.

Public Record of Discipline and Pending Proceedings: None

Check carefully to be sure that you have selected the correct lawyer. At times, lawyers have similar names. The disciplinary results displayed above include information related to any and all public discipline, court-ordered disability inactive status, reinstatement and restoration dispositions, and pending public proceedings. Investigations are confidential and information related to the existence or status of any investigation is not available. For additional information regarding data on this website, contact ARDC at (312) 565-2600 or, within Illinois, at (800) 826-8625.

ARDC makes every effort to maintain the currency and accuracy of Lawyer Search. If you find any typographical errors in the Lawyer Search information, please email lawyersearch@iardc.org. For substantive changes to registration information, including status, address, telephone or employer information, we require that the attorney submit a Change of Registration to insure the validity of the registration process. Consult our [Change of Attorney's Registration](#) page for details. Name changes require the filing of a

motion with the Supreme Court. Consult our [Attorney's Request](#) for Name Change page for details.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY FRIEDRICH ENTERPRISES, LLC, ET AL.,

Plaintiffs,

-against-

MARVEL ENTERPRISES, ET AL.,

Defendants.

08-CV-01533 (BSJ)

**AFFIDAVIT OF CHARLES S.
KRAMER IN SUPPORT OF MOTION
TO ADMIT COUNSEL PRO HAC VICE**

CHARLES S. KRAMER, being duly sworn, hereby deposes and says as follows:

1. I am an attorney with Riezman Berger, P.C., and counsel for the Plaintiffs Gary Friedrich and Gary Friedrich Enterprises, LLC (referred to collectively as "Plaintiffs"). I am familiar with the proceedings in this case.

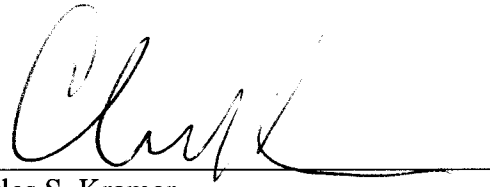
2. I am submitting this affidavit in support of a motion for my admission to practice *pro hac vice* in this action.

3. I am a member in good standing of the Bar of the State of Missouri (#34416), and have been since October 1984. I am also a member in good standing of the Bar of the State of Illinois (#6199917) and have been since 1987. I have attached to this affidavit certificates of good standing reflecting these facts. In addition, I have been admitted to practice before the Federal Eastern District of Missouri and the Federal Southern District of Illinois.

4. There are no pending disciplinary proceedings against me in any state or federal court.

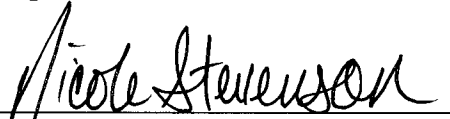
WHEREFORE, I respectfully request that this Motion be granted and that I be permitted to appear as counsel and advocate *pro hac vice* for the Plaintiffs in this action.





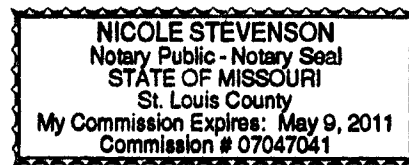
Charles S. Kramer

Sworn to before me this 22 day of April, 2008.



Notary Public

My commission expires: 5/9/2011



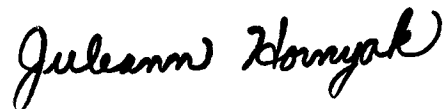
Certificate of Admission To the Bar of Illinois

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Charles S. Kramer

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on July 31, 1987 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto
placed my hand and affixed the seal
of said Supreme Court, at Springfield,
in said State, this Friday, April 11, 2008.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk

The Supreme Court of Missouri



*Certificate of Admission as an
Attorney at Law*

I, Thomas F. Simon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on September 15, 1984,

Charles S. Kramer

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 14th. day of April, 2008.

A handwritten signature in black ink, appearing to read "Thomas F. Simon", is written over a horizontal line.

Clerk of the Supreme Court of Missouri

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GARY FRIEDRICH ENTERPRISES,)	
LLC,)	
An Illinois Limited Liability Company,)	Cause No. 08-CV-01533 (BSJ)(JEH)
and)	
GARY FRIEDRICH, an individual,)	
PLAINTIFFS,)	
vs.)	
)	
MARVEL ENTERPRISES, INC., et al)	
DEFENDANTS)	

**AFFIDAVIT OF DAWN K. O'LEARY IN SUPPORT OF MOTION
FOR ADMISSION PRO HAC VICE**

Dawn K. O’Leary, being duly sworn and under oath, states as follows:

1. I am an attorney with Roth Evans, P.C. and counsel for the Plaintiffs, Gary Friedrich Enterprises LLC and Gary Friedrich in the above-captioned matter.

2. I am submitting this affidavit in support of a motion for admission pro hac vice in this action.

3. I am a member in good standing of the Illinois bar (#06270373) and have been since November 1999.

4. I am a member in good standing of the Missouri bar (#52283) and have been since November 2000.

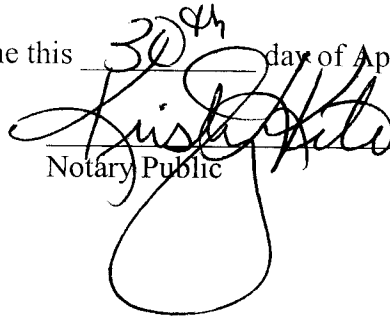
5. I have attached documents reflecting these facts.

6. There are no pending disciplinary proceedings against me in any state or federal court.

WHEREFORE, I respectfully request that this Motion be granted and that I be permitted to appear as counsel and advocate pro hac vice for the Plaintiffs in the above-captioned action.


Dawn K. O'Leary

Sworn and subscribed to before me this 30th day of April, 2008.


Notary Public

My commission expires:



The Supreme Court of Missouri



*Certificate of Admission as an
Attorney at Law*

I, Thomas F. Simon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on 9/27/2000,

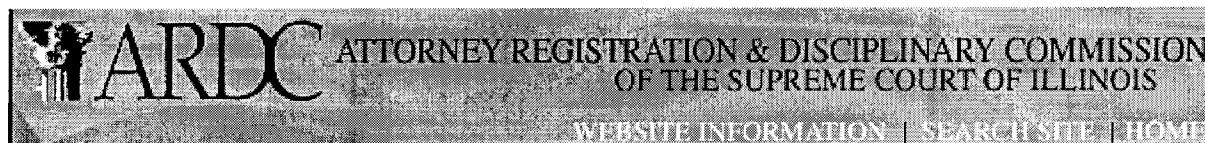
Dawn Kamadulski O'Leary

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 22nd day of April, 2008.

A handwritten signature in black ink, appearing to read "Thomas F. Simon", written over a horizontal line.

Clerk of the Supreme Court of Missouri



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LAWYER SEARCH: ATTORNEY'S REGISTRATION AND PUBLIC DISCIPLINARY RECORD

ARDC Individual Attorney Record of Public Registration and Public Disciplinary and Disability Information as of April 25, 2008 at 11:50:44 AM:

Full Licensed Name:	Dawn K. O'Leary
Full Former name(s):	None
Date of Admission as Lawyer by Illinois Supreme Court:	November 4, 1999
Registered Business Address:	Roth, Evans & Lading PC 2421 Corporate Ctr Dr, Suite 200 Granite City, IL 62040
Registered Business Phone:	(618) 931-5000
Illinois Registration Status:	Active and authorized to practice law - Last Registered Year: 2008
Malpractice Insurance: (Current as of date of registration; consult attorney for further information)	In annual registration, attorney reported that he/she has malpractice coverage.

Public Record of Discipline and Pending Proceedings: None

Check carefully to be sure that you have selected the correct lawyer. At times, lawyers have similar names. The disciplinary results displayed above include information related to any and all public discipline, court-ordered disability inactive status, reinstatement and restoration dispositions, and pending public proceedings. Investigations are confidential and information related to the existence or status of any investigation is not available. For additional information regarding data on this website, contact ARDC at (312) 565-2600 or, within Illinois, at (800) 826-8625.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY FRIEDRICH ENTERPRISES, LLC, ET AL.,

Plaintiffs,

-against-

MARVEL ENTERPRISES, ET AL.,

Defendants.

08-CV-01533 (BSJ)

**AFFIDAVIT OF JOSEPH D.
SCHNEIDER IN SUPPORT OF
MOTION TO ADMIT COUNSEL
PRO HAC VICE**

JOSEPH D. SCHNEIDER, being duly sworn, hereby deposes and says as follows:

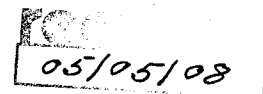
1. I am an attorney with Riezman Berger, P.C., and counsel for the Plaintiffs Gary Friedrich and Gary Friedrich Enterprises, LLC (referred to collectively as "Plaintiffs"). I am familiar with the proceedings in this case.

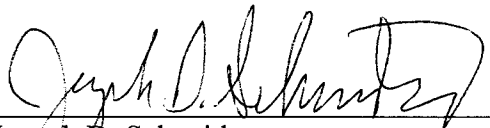
2. I am submitting this affidavit in support of a motion for my admission to practice *pro hac vice* in this action.

3. I am a member in good standing of the Bar of the State of Missouri (#57484), and have been since September of 2005. I am also a member in good standing of the Bar of the State of Illinois (#6288580) and have been since May of 2006. I have attached to this affidavit certificates of good standing reflecting these facts. In addition, I have been admitted to practice before the Federal Eastern District of Missouri and the Federal Southern District of Illinois.

4. There are no pending disciplinary proceedings against me in any state or federal court.


WHEREFORE, I respectfully request that this Motion be granted and that I be permitted to appear as counsel and advocate *pro hac vice* for the Plaintiffs in this action.





Joseph D. Schneider

Sworn to before me this 22 day of April, 2008.



Notary Public

My commission expires: 5/9/2011



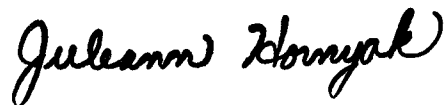
Certificate of Admission To the Bar of Illinois

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Joseph Daniel Schneider

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on May 4, 2006 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto
placed my hand and affixed the seal
of said Supreme Court, at Springfield,
in said State, this Friday, April 11, 2008.

A handwritten signature in black ink, reading "Juleann Hornyak", written in a cursive style.

Clerk

The Supreme Court of Missouri



*Certificate of Admission as an
Attorney at Law*

I, Thomas F. Simon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on September 21, 2005,

Joseph Daniel Schneider

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 14th. day of April, 2008.

A handwritten signature in black ink, appearing to read "Thomas F. Simon", followed by a large, stylized circular flourish.

Clerk of the Supreme Court of Missouri

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY FRIEDRICH ENTERPRISES, LLC.ET AL.,

Plaintiffs,

08-CV-01533 (BSJ)(JCF)

- against -

AFFIDAVIT OF SERVICE

MARVEL ENTERPRISES, ET AL.,

Defendants.

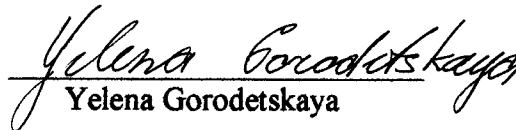
State of New York)
) ss:
County of New York)

Yelena Gorodetskaya, being duly sworn, deposes and says:

1. I am not a party to the action, I am over the age of eighteen (18), and I reside in Kings County, New York.
2. On May 5, 2008 I served the Notice of Motion to Admit Counsel Pro Hac Vice with Affirmation in Support and Exhibits via Court's ECF system, and on May 6, 2008 I served a copy of the Notice of Motion to Admit Counsel Pro Hac Vice with Affirmation in Support and Exhibits by Federal Express Priority Overnight delivery to:

Paul, Hastings, Janofsky & Walker LLP (NYC)
75 East 55th Street
New York, New York 10022
(212) 318-6000

Dated: New York, New York
May 6, 2008


Yelena Gorodetskaya

Sworn to before me this 6th
day of May, 2008


Notary Public

LEONARD F. LESSER
Notary Public, State of New York
No. 02LE6161463
Qualified in NEW YORK County
Commission Expires FEBRUARY 26, 2011